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NHTSA 02-12150-48



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COUNSEL CHIEF

February 19, 2003

Mr. Taylor Vinson
Office of Chief Counsel
U.S. Department of Transportation
National Highway Traffic Safety Administration
400 Seventh Street S. W.
Washington, DC 20590

Dear Mr. Vinson:

Trail King Industries, Inc. ("Trail King") is a manufacturer of specialized custom-built trailers for the heavy haul and construction industries. As a manufacturer of trailers with an annual build in excess of 500 units Trail King is subject to the new TREAD Act requirements. Trail King is also a very active member of TTMA and it is our understanding that TTMA companies may request that the data submitted to NHTSA remain confidential.

Based on the foregoing, Trail King hereby requests that the information supplied remain confidential and be treated accordingly by NHTSA. Trail King feels that this information should remain confidential for the following reasons.

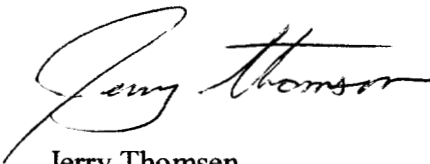
1. The trailer manufacturing industry is extremely competitive and diverse in the various product lines manufactured. Competitive companies have no way of gathering data on the types of trailers that Trail King is presently producing or plans to produce. By making such information public it could be accessed by Trail King's competitors and used to identify sales trends, thus causing such competitors to take steps they might not have otherwise considered. This could adversely affect Trail King's competitive standing in the market.
2. Trail King has always considered its actual production data as highly confidential information and has not released any specific production data to the public. While Trail King has released the total numbers of units produced it has never supplied any detail regarding makes, models, and serial numbers. Trail King feels that the release of this type of information would cause severe damage to the company.
3. Competitive companies will also access the information reported and use that information in an unauthorized, or otherwise illegal manner, to compete against Trail King. The information reported does not distinguish between justified or unjustified complaints and competitors will attempt to use this information improperly for competitive reasons.

4. Historically, when the U.S. Bureau of the Census ("Census Bureau") collected production data the information was maintained as confidential. In fact, when a limited number of responses were collected the Census Bureau chose not to report that category in an effort to conceal the identity of individual companies. The Census Bureau understood the competitive ramifications of releasing this information and it is Trail King's request that NHTSA respond in the same manner.
5. Trail King feels that the information reported is highly susceptible to misuse or abuse by inquiring concerns. Specialty trailers tend to have more customer interaction both before and after the sale than generic standard models. Because the reports do not distinguish between actual problems and mere inquiries, the information is subject to misinterpretation. Without backup reports for analysis, false or improper conclusions could result from the dissemination of the protected information.

For the reasons set forth above Trail King respectfully requests that the information submitted under the Tread Act be treated as confidential information by NHTSA. Any release of specific information would be detrimental to and cause damage to Trail King.

Thank you for your consideration in this matter, we look forward to your response. If you have any questions, please feel free to contact me directly.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jerry Thomsen".

Jerry Thomsen
President of Trail King Industries

Trail King Industries, Inc.

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